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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA  
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8 IN RE:

9 MAKINO RESTAURANT GROUP,  
10 INC.

Debtor(s).

11  
12 DAVID J. WINTERTON & ASSOC.,  
13 LTD.

Appellant(s),

14 v.

15 SUNG KANG and SUE KANG,  
16

Appellee(s).  
17  
18

2:12-CV-643 JCM (PAL)

BK-S-08-14533-BAM  
Chapter 11

19 ORDER

20 Presently before the court is the matter of *David J. Winterton & Associates v. Kang et al*,  
21 2:12-cv-00643-JCM-PAL.

22 The above referenced bankruptcy appeal was filed in this court on April 17, 2012. On two  
23 separate occasions the clerk's office filed a status report regarding the record on appeal. (*See docs.*  
24 *## 4-5*). The two status reports by the clerk's office have noted all the following deficiencies: no  
25 designation of record filed; no statement of issues filed; and, no reporter's transcript filed.

26 This district has various local rules regarding bankruptcy appeals. Local rule 8070 states:  
27 . . .  
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1 “The Court may dismiss the appeal, impose sanctions, or both under circumstances indicated  
2 below. This Rule may be invoked on motion of a party or by the Court on its own motion  
after notice to the parties:

3 a) When an appellant fails to timely file a designation of the reporter’s transcript, designation  
4 of record, statement of issues and/or brief; file the excerpts of record; or otherwise comply  
with Rules and order governing the processing of bankruptcy appeals. . . .”

5 LR 8040. This order is the appellants’ notice as required by the local rule. Within ten (10) days of  
6 the publication of this order the appellants must conform with all applicable local rules, complete  
7 the bankruptcy record, and correct the deficiencies identified by the status reports (docs. ## 4-5).  
8 Failure to do so will lead to sanctions, which could include case dispositive sanctions.

9 It is so ordered.

10 IT IS ORDERED, ADJUDGED, AND DECREED that appellants have ten (10) days from  
11 the publication of this order to comply with all the applicable rules, complete the record, and correct  
12 the deficiencies identified by the status reports (docs. ## 4-5).

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if the appellants do not  
14 comply within ten (10) days from the publication of this order then the appeal is dismissed without  
15 prejudice and the clerk of the court is ordered to close the case.

16 DATED January 14, 2013.

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19 **UNITED STATES DISTRICT JUDGE**